REMARKS

The Section 112 Rejections

Claims 1-15 were rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. Applicants note that this rejection is now moot given the amendments made to the claims as suggested by the Examiner that: (a) describes the reception of non-processed optical signals; and (b) removes the term "adapted to".

The Section 102 Rejections

Claims 1, 4-6, 9-11, 14 and 15 were rejected under 35 U.S.C. §102(e) as being anticipated by Fee. Applicants traverse these rejections.

Independent claims 1, 6 and 11 include, among other things, an optical switch for receiving non-processed optical signals and for connecting at least one processing unit to one or more of the non-processed optical signals based on a characteristic of each signal.

In contrast, Fee requires the reception of a processed (i.e., amplified) optical signal.

Accordingly, Fee does not disclose each and every feature of the claimed invention and cannot therefore anticipate the claims of the present invention. Applicants respectfully request that withdrawal of the pending rejections and allowance of claims 1, 4-6, 9-11, 14 and 15.

The Section 103 Rejections

Claims 2, 7 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fee in further view of Wong. For at least the following reasons, Applicants disagree and traverse this rejection.

It is respectfully submitted that these claims are patentable over the combination of Fee and Wong for the reasons set forth with respect to independent claims 1, 6 and 11, from which these claims depend.

Claims 3, 8 and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fee in further view of Sharma. Applicants respectfully disagree and traverse this rejection for at least the following reasons.

Claims 3, 8 and 13 are at least patentable over the combination of Fee and Sharma for the reasons set forth with respect to independent claims 1, 6 and 11, respectively.

In addition, it is respectfully submitted that one of ordinary skill in the art would not be motivated to combine Fee with Sharma because to do so would render either Fee, Sharma, or both unsatisfactory for their intended purposes. Fee explicitly states that there is no conversion of an optical signal to an electrical signal and back to an optical signal (see Abstract, lines 6 and 7). In other words, Fee explicitly disavows the use of an optical-to-electrical-to-optical (OEO) converter, which is required by claims 3, 8 and 13. Of the modules 302 shown in Fee that can be connected with optical switch backplane 308, none are an OEO because there is no such conversion of an optical-to-electrical-to-optical signal. It is respectfully submitted that one of

ordinary skill in the art would not combine the disclosures of Fee and Sharma because to do so would render Fee inoperable for its intended purpose (i.e., Fee would have to be modified to add an OEO converter, thus destroying Fee's intended purpose of not requiring an OEO).

Accordingly, Applicants respectfully request withdrawal of the pending rejections and allowance of claims 2, 3, 7, 8, 12 and 13.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number of the undersigned below.
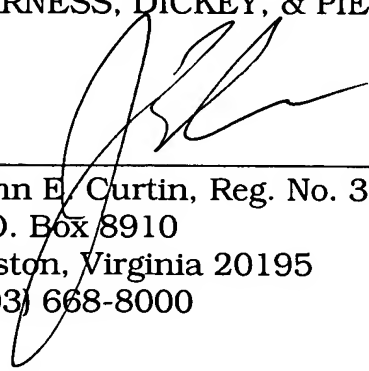
In the event this Response does not place the present application in condition for allowance, applicant requests the Examiner to contact the undersigned at (703) 668-8000 to schedule a personal interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By _____
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